



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 105<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, TUESDAY, JUNE 24, 1997

No. 90

## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, our motto for this day is the resolution of the psalmist: "I delight to do Your will, O my God."—Psalm 40:8. Lift us above the mandate of duty to the motivation of delight. May a fresh inflow of Your love fill us with the sheer delight of being alive and having the privilege of serving You. Give us a positive attitude toward our work, a profound gratitude for the opportunity to glorify You in our pursuit of excellence, and a renewed sense of the importance of the page of history You will help us write in our efforts together today.

Bless the Senators with a renewed experience of Your presence and Your power. Saturate their minds with Your wisdom, flood their hearts with enthusiasm for the crucial work of political process, and strengthen their wills with high resolve to put first Your will and what's best for our Nation.

May this be a delightful day because we took delight in You and enjoyed the uplifting encouragement of Your inspiring spirit. Through our Lord and Saviour. Amen.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator DOMENICI of New Mexico, is recognized.

### SCHEDULE

Mr. DOMENICI. For the information of all Senators, this morning the Senate will resume consideration of S. 947, the budget reconciliation bill. At 9:45 a.m., the Senate will proceed to a roll-call vote on or in relation to Senator GREGG's amendment No. 426. Whereas

there are several other pending amendments that need to be disposed of, Senators can expect rollcall votes throughout Tuesday's session of the Senate.

### MEASURE PLACED ON THE CALENDAR—S. 950

Mr. DOMENICI. Mr. President, I understand there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER (Mr. BROWNBACK). The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 950) to provide for equal protection of the law and to prohibit discrimination and preferential treatment on the basis of race, color, national origin, or sex in Federal actions, and for other purposes.

Mr. DOMENICI. Mr. President, I object to further action at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

### BALANCED BUDGET ACT OF 1997

The PRESIDING OFFICER. The Senate will now resume consideration of S. 947, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 947) to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998.

The Senate resumed consideration of the bill.

Pending:

Gregg modified amendment No. 426, to provide for terms and conditions of imposing Medicare premiums.

Harkin amendment No. 428, to reduce health care fraud, waste, and abuse.

Kennedy/Wellstone amendment No. 429, to strike the provision relating to the imposition of a copayment for part B home health services.

Motion to waive a point of order that section 5611 of the bill violates section 313(b)(1)(A) of the Congressional Budget Act of 1974.

### AMENDMENT NO. 426

The PRESIDING OFFICER. There will now be 15 minutes of debate prior

to a vote on or in relation to the Gregg amendment No. 426.

Mr. DOMENICI. Parliamentary inquiry. Is it not time for the proponent and opponents to share some time equally in reference to the Gregg amendment?

The PRESIDING OFFICER. That is correct. There are now 15 minutes equally divided on the Gregg amendment No. 426.

Mr. DOMENICI. I yield the floor to Senator GREGG.

Mr. GREGG. Mr. President, I am not sure who rises in opposition to this amendment. I understand there are some concerns that have been raised. Let me review the amendment so people understand what it does.

Essentially, this amendment creates a marketplace, creates competition, and it gives seniors the opportunity to go into the marketplace, be thoughtful purchasers, and the result of being thoughtful purchasers is getting an actual return, a monetary return, for being thoughtful purchasers.

What the amendment does is strike the language in the bill which says that there can be no cash incentives tied to any sort of Choice plan. Now, in the original bill as it was presented by myself, the original Choice bill, the vast majority of which has been incorporated in this bill, we had a section which said that if a senior was able to purchase a plan at less dollars, then the senior would be allowed to keep 75 percent of the savings, and 25 percent of the savings would go into the part A trust fund. Under the bill as it is presently structured, the practical effect was it created more marketplace forces. It meant seniors would be more thoughtful purchasers of health care. This is important.

Second, it meant that the health care provider groups like HMO's, PPO's and the PSO's who are now being empowered to compete for senior dollars, those groups would have a reason to deliver the same benefit structure as

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper containing 100% post consumer waste

S6105